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TRADE NEWS Volume 4, Issue 4 SNAPSHOT



The level of activity here at the Office of Trade has spiked, just like the summer temperatures outside our Washington, D.C. Headquarters. For me, things really started heating up when I traveled with CBP Commissioner Magnus to Brussels, Belgium, to attend meetings at the World Customs Organization (WCO). There, the Commissioner shared CBP's priorities and announced his nomination of U.S. Department of Commerce Deputy Assistant Secretary Ian Saunders as WCO secretary general. Meanwhile, the Uyghur Forced Labor Prevention Act rebuttable presumption went into effect June 21. CBP and the Department of Homeland Security-led Forced Labor Enforcement Task Force released the

statutory requirement for guidance and entity lists. CBP also released guidance to the trade community. But that is not all! In this issue, we'll also tell you about CBP's new Green Trade Strategy and, last but not least, illegal animal products intercepted by CBP since January. Read on to find out about these exciting new developments! -AnnMarie Highsmith, Executive Assistant Commissioner, Office of Trade

CBP Commissioner Nonimates Commerce Official to Lead World Customs Organization

At a World Customs Organization (WCO) meeting on June 25 in Brussels, Belgium, CBP Commissioner Chris Magnus announced his intention to nominate U.S. Department of Commerce's deputy assistant secretary of international trade, Ian Saunders, to be the next WCO secretary general. "lan's customs and trade expertise, strategic thinking, and diplomatic acumen make him uniquely suited to lead the WCO in this time of rapid global change," Magnus said in a press release following the announcement. Saunders will stand for election at the June 2023 WCO



Council meeting. As the U.S. lead representative for engagement with the WCO, CBP is an active participant and leader in WCO activities, including global customs operations and the drafting and approval of best practices, quidelines, and standards. For more information on Saunders, the WCO, and CBP's role in the WCO, visit the June CBP Office of Congressional Affairs Newspage.

Uyghur Forced Labor Prevention Act's Rebuttable Presumption Now in Effect

CBP and Forced Labor Enforcement Task Force Release Strategy, Guidelines, and Entities Lists

Now in effect, the Uyghur Forced Labor Prevention Act (UFLPA) rebuttable presumption assumes that the importation of any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region of China, or produced by certain entities, is prohibited under Section 307 of the Tariff Act of 1930. All such products will be detained by CBP. In compliance with the UFLPA, the Department of Homeland Security-led Forced Labor Task Force issued the Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People's Republic of China. For more information on UFLPA or the CBP guidance, see CBP's UFLPA page. Other guidance documents for importers and other affected parties can be found on the DHS UFLPA website, including:

- CBP's Operational Guidance for Importers
- UFLPA Entity List
- Due Diligence U.S. Government and NGO Publication Resources

See also the State Department's UFLPA page, the Commerce Department's UFLPA statement, and the Forced Labor Enforcement Task Force website.

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- 6/13: AVAILABLE NOW: @CBP has issued importer guidance for the Uyghur Forced Labor Prevention Act. Find it at https://go.usa.gov/xJnA9. For additional #UFLPA information, see https://go.usa.gov/xJnAd. #TradeMatters
- 🍼 6/13: Recently, @CBP and @USFWS seized a primate skull that was intentionally misclassified as a tricycle pedal to evade environmental and wildlife trafficking restrictions. Be careful when purchasing goods online -- just because you can buy it, doesn't mean it's legal!
- 🍏 6/17: On 6/21, @CBP will begin enforcing the rebuttable presumption in accordance w/the Uyghur Forced Labor Prevention Act. The UFLPA is an important milestone in #ForcedLabor enforcement in the U.S. Learn more about how @CBP plans to enforce the UFLPA w/@DHSGov http://go.usa.gov/xJyTh

CBPTrade in the News

- Hot Topics in International Trade June 2022 CBP Releases Guidance Related to Complying with the Uyghur Forced <u>Labor Prevention Act</u> – *jdsupra.com* – 6/13/22
- ATA Freight extends its participation in the US CBP's CTPAT with latest validation verification American Journal of <u>Transportation</u> – American Journal of Transportation – 5/31/22
- Is there a supply chain due diligence law in the US? lus Laboris 6/24/22

The Trade News Snapshot is a monthly newsletter from the Office of Trade highlighting important programs, information, and updates for our trade partners and the public.

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TRADE NEWS SNAPSHOT



CBP Issues Green Trade Strategy to Fight Climate Change

While the international community recognizes the challenges climate change presents now and in the future, CBP, as the federal agency responsible for ensuring cross-border trade complies with applicable U.S. laws, has issued a Green Trade Strategy, providing a framework to incentivize green trade, strengthen CBP's environmental enforcement posture, accelerate green innovation, and improve climate resilience and resource efficiency. The strategy seeks to establish CBP as a champion for the green economy and a leader in the fight against climate change by accelerating the global transition to green trade and by serving as a green steward of the environment. Climate change poses significant challenges to CBP's trade mission, but also provides new opportunities for innovation and improvement. For more information, read the press release or the Green Trade Strategy.



Smuggled Animal Products Create Biohazard and Contamination Risks for U.S.

Global trade and travel expand the scope of international cultures. That includes culture-based culinary habits. CBP is intercepting an increasing numbers of animal products, many of which are destined for tabletops in the U.S. However, animal products are not always food. As CBP's inspectors can attest, some of the imported animal products are just plain bizarre.

The prohibited cargo seizures result from identifications made by CBP agriculture inspectors, who have seen massive increases in the number of seizures and the number of illegal animal products imported either by people who are not familiar with restrictions on animal products or those who are deliberately attempting to smuggle those products across the U.S. border. During the first three months of fiscal year 2022, CBP agriculture inspectors at the Los Angeles/Long Beach seaport intercepted more than 262,000 pounds of prohibited pork, chicken, beef and duck products. That represents a 33% increase from the same period in fiscal year 2021. CBP saw an astonishing 80% increase in fiscal year 2021 over the previous fiscal year. Many of those products were shipped from China.

"Preventing the introduction of foreign contagious animal diseases and noxious pests at our nation's largest seaport is paramount and vital to our agriculture industry and the well-being of the communities we serve," said Carlos C. Martel, CBP Director of Field Operations in Los Angeles. "We work closely with our [U.S. Department of Agriculture] and private-sector partners to protect the nation from a variety of diverse agriculture threats."



Balut eggs are duck embryos bioled and eaten in some cultures

Many consumers are not aware of import restrictions on animal products, but unregulated animal products from China are in high demand, and smugglers attempt to get those products into the U.S. for profit without regard to consumer safety or potential damage to the agriculture industry. For example, pork products imported from countries affected by African swine fever could introduce the virus to the U.S., crippling the domestic pork industry and U.S. pork exports valued at \$6.5 billion annually.

Read more about some of the stranger seizures CBP has made so far this calendar year:

- · Live centipedes declared as "earphones" and swine sausages mailed from Malaysia and seized in Los Angeles
- · Charred bat meat, which CBP categorized as "bushmeat," found in a traveler's luggage from Ghana at Dulles Airport in Sterling, Virginia.
- · Human Skulls seized at CBP's International Mail Facility at O'Hare International Airport in Chicago.
- Live parrots hidden in a shoe box in the back seat of a vehicle that crossed from Mexico at the port of entry in El Paso, Texas.
- Balut eggs, a popular delicacy in the Philippines and Southeast Asia, found in a traveler's luggage at Bush International Airport in
- Live leeches shipped by air cargo and intercepted in Philadelphia.
- 43 horned lizards and 9 snakes concealed in and under a man's clothing as he attempted to cross the U.S. border at San Ysidro.
- · Live spider monkeys hidden in a duffel bag in a vehicle driven by a woman attempting to enter the U.S. in Progreso, Texas.

CBP Destroys Dried Violative Catfish from Nigeria

Agriculture specialists in Atlanta intercepted about 100 pounds of prohibited dried catfish from Nigeria on March 18. In 2017, the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS) banned fish products from Nigeria because the nation failed to meet U.S. food standards. The fish products were banned as a health risk for U.S consumers. The shipment was sent by air through Atlanta. CBP's seizure was the result of targeting conducted by the Commercial Targeting and Analysis Center in collaboration with the FSIS. It was destroyed on April 8.

Latest Trade Federal Register Notices

- Electronic Filing of Certain Certificate of Compliance Data: Announcement of PGA Message Set Test and Request for Participants; 87 FR 35513; (June 10, 2022)
- Declaration for Free Entry of Unaccompanied Articles (CBP Fort 3299; 87 FR 37882 (June 24, 2022)
- <u>Distribution of Continued Dumping and Subsidy Offset to Affected</u> Domestic Producers; 87 FR 32512; (May 31, 2022)
- Holders or Containers Which Enter the United States Duty Free; 8 FR 34283-34284; (June 6, 2022)

New Cargo System Messaging Service Updates

- CSMS #52290094 Transmission of the Unique Identifier for FDA's Foreign Supplier Verification Programs – June 27, 2022
- CSMS #52290549 Harmonized System Update 2214 created on June 24, 2022
- CSMS #52257745 Admissibility Entry Filing for de minimis Shipment (Section 321) Products Regulated by the Food and Drug Administration
- CSMS #52143085 Global Business Identifier Enrollment GO Status Notification